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14 **IN THE UNITED STATES DISTRICT COURT**  
15  
16 **FOR THE DISTRICT OF ARIZONA**

17 Kini M. Seawright, ) Case # CV 11-01304-PHX-JAT  
18 Plaintiff, )  
19 vs. )  
20 State of Arizona, *et al.*, ) STIPULATED MOTION FOR  
21 Defendants. ) EXTENSION OF TIME FOR  
22 ) PLAINTIFF'S RESPONSE TO  
23 ) DEFENDANTS' MOTION FOR  
24 ) SUMMARY JUDGMENT  
25 )  
26 )  
27 )

17 Plaintiff Kini Seawright (hereinafter referred to as "Plaintiff"), by and through her  
18 undersigned attorney of record, moves for an order for an extension of time from April 2,  
19 2013 until April 16, 2013, for the filing and service of the Plaintiff's Response to the  
20 Defendants' Motion for Summary Judgment (dkt. #75).

21 **1. Authority For This Motion**

22 This Motion is filed pursuant to Federal Rules of Civil Procedure, Rule 6(b)(1)(A),  
23 and U.S. District Court for Arizona LRCiv. 7.3. See *Ahanchian v. Xenon Pictures, Inc.*,  
24 624 F. 3d 1253 (9<sup>th</sup> Cir. 2010), and *Briones v. Pioneer Hotel & Casino*, 116 F. 3d 379 (9<sup>th</sup>  
25 Cir. 1997).

1                   **2. Pertinent Facts**

2                   A.       On February 13, 2013, the Defendants filed their Motion for Summary  
3 Judgment and Statement of Facts, dkt. #83.

4                   B.       Prior to their filing, Defendants moved for and received two extensions of  
5 time (dkt # 71, 75) (agreed to by Plaintiff), as well as a motion to exceed the page length  
6 limitation (#77).

7                   C.       The undersigned attorney for the Plaintiff has recently received five  
8 motions for summary judgment that he has had to or will have to file responses to in the  
9 upcoming month.

10                  D.       To further delay his ability to file Plaintiff's response by the due date, the  
11 law firm of Gillespie, Shields & Durrant has lost two of its attorneys in the past few  
12 months, one of which had previously been the primary attorney and counsel of record on  
13 this case.

14                  E.       Plaintiff's attorney will, therefore, require additional time to review the  
15 documents, pleadings, depositions, etc. in order to provide a meaningful response to the  
16 Defendant's motion for summary judgment.

17                  D.       This is the first request for an extension of time for the Responses.

18                  E.       Defendant's attorney Michael Gottfried has provided his approval for  
19 Plaintiff's extension of time.

20                   **3. Declaration of Counsel**

21                  Pursuant to 28 U.S.C. 1746, I declare and verify under penalty of perjury that the  
22 foregoing facts are true and correct.

23                  Executed on March 29, 2013.

25                  s/Dan M. Durrant

26                  Dan M. Durrant

#### **4. Conclusion and Order Requested**

Based upon the foregoing cited Rules and Facts, the Plaintiff respectfully requests an order extending the time for the filing of the Plaintiff's Responses to the Defendant's Motion for Summary Judgment. An Order has been attached and filed and emailed to the Court.

Respectfully submitted this 29th day of March, 2013.

## **GILLESPIE, SHIELDS & DURRANT**

S/DAN M. DURRANT

Dan M. Durrant

Attorneys for Plaintiff

## **CERTIFICATE OF FILING**

I hereby certify that, on March 28, 2013, I electronically transmitted the attached document to the U.S. District Court's Clerk office using the CM/ECF system for filing and transmittal of a Notice of Electronic Filing to attorneys of record on file for this case.

/s/ Linda S. Dittemore

Linda S. Dittemore